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Chemical Weapons Convention Chief Removed at U.S. Initiative

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By Seth Brugger

The head of the organization implementing the Chemical Weapons Convention (CWC) was voted out of office by convention member states on April 22, ending a nearly three-month-long diplomatic offensive led by the United States.

With 43 delegations abstaining, states voted 48 to 7 to remove José Bustani, a Brazilian who has headed the Organization for the Prohibition of Chemical Weapons (OPCW) since its inception almost five years ago. Two-thirds of states attending and voting had to vote in favor of removing Bustani for him to be unseated. Many European countries, U.S. allies, and India backed the U.S.-led motion of dismissal; Belarus, Brazil, China, Cuba, Iran, Mexico, and Russia voted against Bustani's removal.

The United States, which pays 22 percent of the OPCW's budget, had made implicit threats not to pay the rest of its dues to the organization if Bustani maintained his position, according to an OPCW official. This prompted speculation that other countries went along with the U.S. initiative to avoid depriving the organization of needed funds.

Speaking after the vote, Bustani said, "I clearly made some people in Washington very uncomfortable because I was too independent. They want somebody more obedient," *The New York Times* reported. The former director-general was also reported to have complained that his removal was illegal. Although the conference used its normal rules for voting on substantive issues, the convention does not specify rules for removing its head.

The State Department hailed Bustani's removal as "an essential first step in restoring stability and sound management" to the OPCW and said the United States "will work closely with other concerned member states to restore the organization to sound financial footing and to overcome the other financial difficulties that it has faced in recent years." A U.S. official indicated that this would involve expediting payment of remaining U.S. arrears.

The Chemical Weapons Convention, which outlaws chemical weapons and orders their destruction, has been in force since 1997. It charges the OPCW with conducting routine inspections of countries' chemical weapons-related activities and monitors member states' chemical industries. Countries can also request the OPCW to conduct short-notice inspections anywhere in another member state.

The OPCW recently suffered a major financial crisis, however, and was forced to scale back its verification activities. According to State Department spokesman Richard Boucher, the organization has not been "able to carry out their mandate. For example, they're only carrying out this year 55 percent of their planned inspections."

Washington alleges that Bustani's financial mismanagement of his organization is to blame. But Bustani has contended that in 2001 the United States imposed a budget that was inadequate to implement the organization's work program fully and has asserted that verification cutbacks have resulted from "chronic underfunding."

The United States supported Bustani's re-election in May 2000. But Washington noticed a "steady decline in Bustani's performance," the U.S. official said, adding that an attempt by the director-general to remove his deputy, Australian John Gee, was "the straw that broke the camel's back."

So, starting in late January, Washington began to seek Bustani's removal. Along with Germany, Japan, Poland, and South Korea, the United States first pursued a course of quiet diplomacy, contacting Brazil to try to secure the director-general's removal, according to the U.S. official. When that tack did not work, the United States tabled a motion of no confidence in the OPCW's executive decision-making body, the Executive Council. The vote, which did not have the power to remove Bustani but served as a political marker, failed to muster enough votes to pass.

Washington publicly made its case against Bustani in a March 1 paper. In addition to outlining financial criticisms, the paper attacks Bustani's demeanor and is peppered with complaints about how he has run the OPCW, maintaining that Bustani's conduct has "seriously undermined the functioning and authority of the Executive Council." The paper adds that Bustani threatened to conduct punitive inspections at industrial sites in five states that had issued a demarche to him on financial and verification issues.

Washington also maintains that Bustani advocated inappropriate roles for the OPCW. As evidence, the paper says that the director-general volunteered his organization's inspectors, despite member states' objections, to aid the UN agencies that had been or are currently in charge of inspecting Iraqi chemical and biological weapons and missile capabilities. It added that Bustani "continues to attempt to impose the OPCW, and CWC limitations" on this UN Security Council matter. It also complained about Bustani's post-September 11 initiative to enhance the OPCW's chemical terrorism-response capabilities.

An OPCW paper circulated by Bustani to rebut these charges countered, "Attempts to oust the Director-General of the OPCW seek to establish a dangerous international precedent" where the job security of heads of international organizations would depend on the "attitude, whims, and perceptions of one, or a few, major contributors to the budget."

It is expected that Bustani's replacement will come from Latin America. Deputy Director-General John Gee will lead the OPCW until states-parties meet in June to elect a new chief, according to the OPCW official.

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